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ment by the plaintiff. *Held*, that the plaintiff is not entitled to a mandatory decree compelling the carriage of liquor C. O. D. *Burke v. Platt*, 172 Fed. 777 [Circ. Ct., N. D. W. Va.] See NOTES, p. 212.

**CONFLICT OF LAWS — EXECUTION OF POWER — LAW GOVERNING VALIDITY OF EXECUTION BY WILL.** — The donee under an English will of a power of appointment over personality, to be exercised by deed or will, was domiciled in Germany at the time of her death. Her will, purporting to exercise the power, was duly attested according to the law of England, but was invalid according to German law. *Held*, that the document is admissible to probate in England for the purpose of the appointment. *Murphy v. Deichler*, [1909] A. C. 446.

In general, unless a will of movables is executed according to the law of the testator's domicile, it is nowhere valid. *Craigie v. Lewin*, 3 Curt. Eccl. 435; *Goods of Gutieres*, 20 L. T. n. s. 758. But the exercise of a power of appointment, unlike the disposition of property actually owned by the testator, is not a testamentary act. See *Pouey v. Hordern*, [1900] 1 Ch. 492. It is the completion of a gift which has its effect from the instrument creating the power. Therefore the intent of the creator of the power should determine the validity of a will purporting to exercise it. If he expresses certain requirements as to attestation, a will not complying is not a valid exercise of the power, although it is admissible to probate. *In re Kirwan's Trusts*, 25 Ch. 373; *Barreto v. Young*, [1900] 2 Ch. 339. Where the instrument creating the power simply provides that it is to be exercised by "will," it seems a natural construction to say that the intent of the testator will be satisfied either by a physical document purporting to be a will or by a legally operative testamentary disposition. Therefore a will executed according to the law of the donor's domicile satisfies the creator's intention under the former theory, or a will executed according to the law of the donee's domicile satisfies it under the latter. *D'Huart v. Harkness*, 34 Beav. 324; *In re Alexander*, 29 L. J. P. & M. 93. See 19 HARV. L. REV. 122. Thus the apparent anomaly of the principal case may be explained.

**CONTEMPT — POWER TO PUNISH FOR CONTEMPT — IMPRISONMENT OF WARD OF COURT FOR DISOBEDIENCE.** — An infant became married without the consent of a court of chancery of which he was a ward. *Held*, that he be imprisoned for contempt of court. *In re H's Settlement*, [1909] 2 Ch. 260.

The filing of a bill against an infant, or the payment into court of funds settled upon him, will constitute the infant a ward of the court. *In re Hodge's Settlement*, 3 K. & G. 213. And any interference with a ward's person or property, such as marrying him without the court's license, is a criminal contempt of court. *Butler v. Freeman*, 1 Ambl. 301; *Wellesley's Case*, 2 Russ. & M. 639. The court's direct control of a ward is usually exercised through an appointed guardian, whose commands the infant is under a duty to obey. *Tremain's Case*, 1 Str. 167. A ward's disobedience to the orders of a court, whether issued through the medium of a guardian or not, would be only a civil contempt of court. See 21 HARV. L. REV. 161. The case then is difficult to support. The imprisonment cannot be a punishment, for no crime has been committed; and the court is not attempting to enforce any order by imprisonment. It could be said that the jailer is made a guardian of the infant, but no contempt of court is necessary to authorize a change of guardians. In the United States, chancery has never interfered with the marriage of its wards. See *Chambers v. Perry*, 17 Ala. 726.

**CORPORATIONS — NATURE OF CORPORATION — SEPARATE CORPORATE PERSONALITY.** — Corporation A and corporation B were owned entirely by the same individuals. Corporation A became bankrupt and corporation B attempted to prove a claim against it. *Held*, that the claim is provable. *In re Watertown Paper Co.*, 22 Am. B. R. 190 (C. C. A., Second Circ.). See NOTES, p. 216.